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DAC FOR PATENTS**

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In re Application of  
Edward Jackson  
Application No. 08/888,376  
Filed: July 7, 1997  
Attorney Docket No. 7045.0002

**DECISION ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed May 18, 2000, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely submit (a) the issue fee, as required by the Notice of Allowance and Issue Fee Due, and (b) new Formal Drawings as required by the Notice of Allowability, both mailed on January 24, 2000. A shortened statutory period of three (3) months was set for replying to the notice of allowability. The period for replying to a notice of allowance and issue fee due is statutorily set at three (3) months.<sup>1</sup> No reply was received within this time period.<sup>2</sup> Therefore, this application became abandoned for failure to reply to both notices as of April 25, 2000.<sup>3</sup>

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of the continued prosecution application (CPA), filed May 18, 2000.

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<sup>1</sup> 35 U.S.C. §151.

<sup>2</sup> Nor were any requests for extensions of time to respond to the Notice of Allowability received.

<sup>3</sup> 35 U.S.C. §133, 37 C.F.R. §1.134-136.

This application is being forwarded to Technology Center 1700 for processing the CPA.

As petitioner is aware, the filing of a CPA is an express abandonment of the parent application.

Although the issue fee is not refundable, Petitioner may request a refund of the \$15.00 fee for patent copies by writing to the Office of Finance, Refund Section. A copy of this decision should accompany Petitioner's request. If Petitioner does not request a refund at this time, the \$15.00 may be credited toward patent copies should the CPA issue.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Nelson B. Snyder III at (703) 305-0011.

*Christina T. Larter for*

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